

evening, approximately 50 of your colleagues joined in your concern about this program.

It is a fabulous program, using the money very well, and I urge a "no" vote on the gentleman's amendment.

Mr. FLAKE. Reclaiming my time, Mr. Chairman, again, I would say that this is a charter school receiving money in the defense bill that has no more military application than any school that any of your kids or grandkids go to, and yet we are doing it. Does that have a military application? I would suggest not. And the notion that we can talk about this earmark that turned into something good or that one, but for every one of those, I would suggest that there is a company out there that would love to bid on one of these contracts that isn't given the opportunity, a company that might have technology that might turn into something good, but they can't compete because an earmark is given as a sole-source contract to another company. There are hundreds of them in this bill.

Again, an earmark is not a competitively bid project. It is a sole-source contract.

I urge adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

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AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. 8110. (a) LIMITATION ON USE OF FUNDS.—None of the funds made available in this Act may be used for the National Drug Intelligence Center, Johnstown, Pennsylvania.

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided by this Act for "Intelligence Community Management Account" is hereby reduced by \$39,000,000.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would eliminate \$39 million in Federal taxpayer dollars for the National Drug Intelligence Center, a project that U.S. News and World Report called "a boondoggle." This amendment would also reduce the cost of the bill by a commensurate amount.

There are a number of reasons to support this amendment; primary among these is the fact that we should not spend our scarce intelligence dollars on wasteful and duplicative programs like the National Drug Intelligence Center.

This earmark has been part of a growing list of intelligence, or so-called "black earmarks." I think a lot of us have long been skeptical of the practice of earmarking Intelligence accounts, and several of us have repeatedly called for the abolition of this practice. We really didn't start earmarking the Intelligence bill until, I think, around the late — nineties. And it has not gone well for us, as we know with the case of Mr. Cunningham, now serving time.

It is important to note that the practice of earmarking only began really in this case in the Intelligence bill in the 1990s.

Let me repeat, we shouldn't be earmarking the Intelligence bill this way. This was authorized in the Intelligence bill. There was an amendment offered at the time to strike it.

Many of us have been troubled, as I mentioned, with this kind of earmarking. Many of us have asked to see the unclassified version of the report that was commissioned by the Intelligence Committee about Mr. Cunningham and his ability to get Intelligence earmarks. I have not been able to get that report, an unclassified report. I, as a Member of Congress, have been denied that report, and so have all of you. That is simply not right.

The Los Angeles Times reported a couple of weeks ago, as did the Associated Press, that they had received a copy of that report, but Members of Congress have not. Yet, we still continue with the practice of earmarking Intelligence bills.

When we did the authorization bill, we didn't receive the list of earmarks in that bill until it was past time to offer amendments to the Rules Committee to strike those earmarks. So we haven't had that opportunity.

Let me say that we cannot continue to go down this road, particularly with earmarks that have been called "duplicative and wasteful." The administration has tried for years to get rid of this National Drug Center. In fact, they offered \$16 million in one of these bills to shut that center down; yet, still, it keeps coming back and back and back.

Mr. Chairman, I reserve the balance of my time.

Mr. MURTHA. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MURTHA. The Center's analytical tools were developed at NDIC and are among the best in the industry, performing over 500 missions involving drug trafficking, money laundering, terrorism, fraud in the health care industry, and child abduction. Today, the

NDIC document exploitation program analysts are supporting the U.S. Army to facilitate criminal investigations being conducted in Iraq.

NDIC developed computer software. It was recently adopted by the U.S. Army in Iraq to exploit valuable information from captured computers of insurgents and members of al Qaeda.

And let me say to the gentleman how this started. President Bush felt we needed a centralized place, and they wanted to put it in Washington. I felt, with a new communications, we didn't need it in Washington, and they decided to put it in Johnstown, and I think it has done very well. And we have argued this before, so I oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. FLAKE. I would just ask the gentleman, while he's still standing, I would yield to the gentleman to simply ask, has the Bush administration requested that this be shut down?

Mr. MURTHA. Let me tell you, the Bush administration made a few mistakes in the past.

Mr. FLAKE. Does the gentleman presume to know more about this specific subject and know of a reason why this should remain in effect when the administration is saying that it should be shut down because it is duplicative and wasteful?

Mr. MURTHA. The administration says a lot of things that I disagree with.

Mr. FLAKE. I have nothing to add to that.

Mr. Chairman, I yield back the balance of my time and urge adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 10 by Mr. SESSIONS of Texas.

An amendment by Mr. FLAKE of Arizona regarding Presidio Trust.

An amendment by Mr. FRANKS of Arizona.

Amendment No. 6 by Mr. WALBERG of Michigan.

Amendment No. 18 by Mr. CAMPBELL of California.

An amendment by Mr. FLAKE of Arizona regarding Doyle Center.

An amendment by Mr. FLAKE of Arizona regarding Lewis Center.

An amendment by Mr. FLAKE of Arizona regarding National Drug Intelligence Center.